

ASSEMBLY BILL

No. 1372

Introduced by Assembly Member Reyes

February 26, 1999

An act to amend Section 89530 of, and to add Section 89547 to, the Education Code, relating to the California State University.

LEGISLATIVE COUNSEL'S DIGEST

AB 1372, as introduced, Reyes. California State University: nonacademic employees.

Existing law governs the appointment, tenure, layoff, and dismissal of employees of the California State University. Under existing law, these provisions do not apply to the California State University presidents or to student assistants.

This bill would authorize a full-time nonacademic employee to be appointed on a temporary basis, on the basis of workload requirements, as specified. The bill would require a temporary nonacademic employee of the California State University, as defined, to be granted permanent status if the employee has served in his or her classification at the campus for at least 5 consecutive years in a time-base of at least 50%. The bill would require a temporary nonacademic employee who has served for less than 5 years in a position designated temporary to be granted probationary status, as specified.

This bill would require part-time service performed by nonacademic employees to be credited toward permanent status on a pro rata basis. The bill would provide that a nonacademic employee would not lose permanent status in a

former classification when he or she accepts a temporary assignment in another classification.

These provisions would not apply to presidents, faculty, or student assistants at the California State University.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 89530 of the Education Code is
2 amended to read:

3 89530. (a) As used in this article, unless the context
4 otherwise requires:

5 (1) “Dismissal” means dismissal for cause.

6 (2) “Layoff” means separation from a position for lack
7 of funds or lack of work.

8 (3) “Probation” means the period an employee must
9 serve before becoming entitled to permanent
10 employment.

11 (4) “Permanent” means that the employee has a right
12 to continued employment unless dismissed or laid off.

13 (5) “Temporary employee” means an employee
14 serving in a temporary appointment.

15 (6) “Temporary appointment” means an
16 appointment that specifies the probable expiration date
17 of the appointment and specifies that the appointment
18 may expire prior to that stated expiration date.

19 (b) This article does not apply to ~~the~~ either of the
20 following:

21 (1) California State University presidents.

22 ~~(c) This article does not apply to student~~

23 (2) Student assistants.

24 SEC. 2. Section 89547 is added to the Education Code,
25 to read:

26 89547. (a) A full-time nonacademic employee may
27 be appointed on a temporary basis, for a period not to
28 exceed 10 months, on the basis of workload requirements.

29 (b) A temporary employee shall be granted
30 permanent status if the employee has served in his or her
31 classification at the campus for at least five consecutive

1 years in a time-base of at least 50 percent. As of January
2 1, 2000, a temporary employee who has served for less
3 than five consecutive years in a time-base of at least 50
4 percent shall be granted probationary status with the
5 number of months served as a temporary employee
6 credited toward the probationary period in the
7 classification he or she holds at that time.

8 (c) Part-time service performed by a nonacademic
9 employee shall be credited, on a pro rata basis, toward
10 permanent status.

11 (d) A nonacademic employee shall not lose his or her
12 permanent status in a former classification when he or she
13 accepts a temporary assignment in another classification.

14 (e) This section does not apply to members of the
15 faculty of the California State University.

